THE HON'BLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION NOs.7808 and 7783 of 2007

Between:

Bhikraj Shankarlal Cloth Merchant.

.. PETITIONER

and

The Commissioner, M.C.H.,Hyderabad and others.

.. RESPONDENTS

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

-

COMMON ORDER:

The petitioners are the tenants while the 3rd respondent is the

landlord in respect of the premises bearing Municipal Nos.21-2-526 and 21-7-270 situated at Charkaman, Hyderabad.

It is stated that for widening of the road, respondents 1 and 2 are taking steps to demolish portions of the existing building. It is stated that the petitioners being the tenants of the said premises, they are also entitled for a notice. It is stated that even though the landlords have given their consent or objected for it, the petitioners being the tenants of the said premises, they are also entitled for a notice before dispossessing them from any portion of the building or acquiring the land in occupation of the tenants. It is further stated that the issue raised in these writ petitions is squarely covered by the judgment of this court in W.P.No.27122 of 2005.

Having regard to the facts and circumstances of the case, respondents 1 and 2 are directed to issue notice to the petitioners before dispossessing them, while taking recourse either under Section 146 or 147 of H.M.C.Act, 1955. There shall be no order as to costs.

_____

16-04-2007

Note:
Issue C.C. by tomorrow.
(B/o)
Prv